1. MCO GOVERNANCE (CAMC TITLE I ART 7-10 & TITLE II, CH7)

Scoping subject	Subtopic	What is the problem (short description)?
Improve definition of tasks for MCO(s), NEMOs and TSOs including regulated & non-regulated tasks	Definition of MCO/non MCO tasks and regulated/non-regulated tasks	CACM does not precisely define the perimeter of the MCO function, neither which tasks are regulated and which are not
	Assignment of the task to MCO of Data sharing/data publication, in particular prices, but also costs of regulated activities	CACM does not include requirements on publication of information
	Assignment of the task to MCO of calculating scheduled exchanges in line with the approach followed in the Algorithm methodology (i.e. NEMOs involvement)	CACM does not explicitly foresee to MCO involvement in calculating scheduled exchanges
Improve MCO plan, development and organisation	Description of the MCO organisation and governance incl. assessment of governance model	CACM does not specify how MCO is organised and governed
	Establishment of the process for regularly update the dynamic part of the MCO plan (i.e. R&D, investment plan, budget)	CACM does not foresee that, once established, the MCO plan needs to be regularly updated
	Disputes among NEMOs and escalation process	CACM prescribes no-discrimination among NEMOs but allows also a delegation of tasks. The MCO Plan foresees three statuses for NEMOs w.r.t the SDAC assets: co-owner, serviced, licensee. A balance should be found between flexibility (NEMOs to decide the preferred status) and no-discrimination (NEMOs to have the same rights and responsibilities)
	NEMOs' voting right should be assigned to designated and passporting NEMOs	CACM assigns voting rights to NEMOs based on the number of MSs where they are designated, however foresees costs to be shared among NEMOs based on the number of MSs where they are designated or passporting. Furthermore, CACM requires each MS to designate at least one NEMO, but it might happen that in some MSs there are only passporting NEMOs.

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Scoping subject	Subtopic	What is the problem (short description)?
Regulatory framework for cross border clearing & settlement	Finalization of the enduring solution for cross border physical and financial shipping in the ID timeframe	CACM does not identify a model for cross zonal shipping and settlement. In particular, for ID, CACM does not clarify how shipping should be organized in transiting bidding zones. Furthermore, CACM does not clarify how decoupling triggered by financial default should be managed.
	Prohibition of cross clearing fees	CACM does not identify a specific model for cross zonal shipping and settlement. In particular, CACM does not clarify how costs borne for the cross border clearing and settlement activity should be covered. Even though clearing and settlement activity does not belong to the scope of the MCO function, some rules need to be established
	Clarification on how transit shipping costs should be treated	CACM does not identify a specific model for cross zonal shipping and settlement. Depending on how the problem of finding an appropriate mechanism to manage shipping through transit bidding zones will be solved, a corresponding cost recovery mechanism (regulated or not regulated) should be found.

2.   SDAC & SIDC (CACM TITLE II, CH4-6)

Scoping subject	Subtopic	What is the problem (short description)?
Integrate CEP provisions on Day ahead & intraday markets	Art 39 – Products as short as ISP	E. reg includes requirements on 15 min products for DA & ID
	Art 41 – Min / max prices : integrating both bidding and clearing prices	E. reg art 10.2 includes a requirements on min/max prices taking maximum VOLL into account
Improvement of fallback procedures	Requirements for regular testing of fallback process	Fallback is not tested regularly
	Full control of Interconnectors in partial decoupling by any NEMO.	Currently, if EPEX Spot decouples in CWE a number of cables are by design decoupled (same for Nord Pool).
	Fallback methodology	The current Fallback methodologies are not harmonised across regions and the level of details it includes.
Ensuring fair competition among NEMOs across all timeframes	Pooling of SIDC liquidity inside bidding zones in case of decoupling and without CZC allocation	SIDC should facilitate pooling of liquidity inside bidding zones even in the absence of cross-zonal capacities.

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Scoping subject	Subtopic	What is the problem (short description)?
Introduce Intraday Auctions	Clarify that SIDC is both continuous SIDC and auction SIDC.	In the current version of CACM there are no articles reflecting IDAs and expressly indicating IDAs as a solution for pricing capacity in the ID time frame.
	Clarify the interactions and interfaces between continuous and auction SIDC	Currently CACM does not allow stopping continuous trade (nomen est omen) for auctioning CZC
	Auction SIDC design	Design shall be proposed & revised (periodically) by TSOs AND NEMOs
	Coexistence of auction SIDC and Complementary Regional Intraday Auctions	Implementation of auction SIDC with several auctions largely achieves the objectives of CRIDAs, so CRIDAs might not be needed anymore
	Modify the abstract principle of intraday capacity pricing into auction SIDC	Given that a clear shape has been given to IDAs, it would be convenient to rewrite the article to formalize the guiding principles of the auctions, and align CRIDAs with IDAs.
	Link SIDC auctions to capacity recalculation?	This means to change of frequency of IDA depending on the additional availability of the capacity resulted from the recalculation of the ID capacity. Would provide adequate price of the capacity.
Open CACM to allow for innovations on DA & ID Market Design	General algorithm requirements (e.g. repeatability, scalability, auditability) & constraints (e.g. uniform price, products)	CACM requires both the SDAC and SIDC algorithm to be repeatable and scalable. Especially full repeatability is a difficult requirement to accomplish with uniform pricing
Reframe dispositions for methodologies already delivered	Updating timelines of already delivered methodologies and creating clarity on updating methodologies periodically.	Deleting timelines already complete. Offer the possibility to do periodical revision, without imposing an obligation of doing it.

Scoping subject	Subtopic	What is the problem (short description)?
		There are different obligations regarding consultation and revising the methodologies. For some methodologies CACM sets an obligation to consult and consequently revise if needed every two years, while for others nothing is said about a revision. For CRIDA see the point on ID capacity pricing and IDA
	Cables managed by single interconnector TSOs	Absence of single interconnector TSOs in the legal framework : The CJEU has concluded that an interconnector shall be a TSO (ECLI:EU:C:2020:189)

3.   COST (CACM TITLE II, CH8, TITLE III WO. ART 74)

Scoping subject	Subtopic	What is the problem (short description)?
Ensure consistency of congestion income distribution methodologies across timeframes	As CIDM is also part of FCA GL and EB GL: harmonisation among GLs would be needed	The same activity (collection and distribution of congestion income) is ruled by 3 different GLs. For the sake of consistency, they should be harmonized to the extent possible.
Regulatory framework for MCO function costs	Identification of those costs that are subject to regulation (i.e. assessed by NRAs and recovered through regulated mechanisms)	CACM does not list the costs that are eligible to cost recovery but leaves to each NRA to decide which costs are eligible and which not. This implies a non-equal treatment of NEMOs across the EU.
	Clarification on the nature of the NRAs joint assessment of costs and on the coordination procedure	CACM requests NRAs to assess costs but does not clarify how NRAs should assess common costs
	Implementation of the principle that: "All activities that are monopolistic in nature should be financed through a regulated mechanism"	CACM allows for cost recovery based on regulated mechanism but does not specify which activities should be subjetc to regulated mechanism and why
Describe in more details the Cost Report and costs sharing	Inclusion of a deadline for Cost Report submission	CACM does not foresee a deadline for NEMOs and TSOs to submit the Cost Report to NRAs
	Clarification of what is meant by sensitive commercial information	CACM requests ACER to take into consideration commercial sensitive information when publishing the Cost Report, but does not provide

Scoping subject	Subtopic	What is the problem (short description)?
		principles for identifying which information should be considered commercially sensitive
	Clarification on the information to be conveyed through the national cost report	CACM requests NEMOs and TSOs to include in the Cost Report information on national costs as well. However, CACM does not foresee a common structure for the national cost reports. This implies that national costs might be not homogeneous and therefore they might not be compared either aggregated
	Incorporation of the sharing key formula defined by all NRAs (i.e. two -step approach: split between MSs and split within MSs)	CACM prescribes a sharing key for splitting common costs that cannot be implemented as it is. On a practical ground, NRAs integrated the CACM provisions with additional elements which aim at making the sharing key implementable

4. **CAPACITY CALCULATION (CACM TITLE II, CH1, ART 14-31)**

Scoping subject	Subtopic	What is the problem (short description)?
General Improvements & Integrate CEP provisions in capacity calculation framework	70% margin for cross zonal trade vs. 30% for reliability margin, internal and unscheduled flows.	CACM does not mention 70% requirement and does not define the minimum margin for trade or include harmonized flow definitions
	RCC tasks in capacity calculation	RCC should replace CCC in CACM pursuant to E.reg
	Improve framework for capacity validation	differentiation between validation by TSOs and validation by RCC because of 70% requirement pursuant to Article 16(3) E.reg
	Align (redundancy check)/merges/reorder of paragraphs in CC-chapter (including consistency with other GLs)	Structure Capacity Calculation chapter does not follow CC-process and references to other GL are not consistent
	Harmonisation deadline for all CCMs in all CCRs	Deadline of 31/12/2020 has passed
	Obligation for a biennial report on CC and allocation	Obligation from CEP report on structural congestion every three years vs CACM report every two years
	Clarify status of third countries in Capacity calculation process	The impact of 3rd countries on capacity calculation and operational security is not clear

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Scoping subject	Subtopic	What is the problem (short description)?
Use of remedial actions in capacity calculation	Inclusion of costly remedial actions in the CCM RAOs and/or capacity validation as mandated by Article 16(3) and (4) of E.Reg	Capacity calculation currently does not encompass all remedial actions as per required by the ER Article 16(4).
Improve harmonization of Capacity Calculation parameters across timeframes	LTA inclusion vis-à-vis FCA	Not clear whether LTA inclusion is needed in CACM?
	Definitions of operational security limits and remedial actions vis-à-vis SO GL	Alignment with SO GL operational security limits definition
	GSK strategies	Is there a need to align the current different GSK-approaches across CCMs?
Improve requirements for Capacity Calculation inputs	Specify that CGM is also CC input	CGM is not defined as one of the CC inputs
	Develop requirements on IGM and CGM content	CGM and IGM are defined in different regulations (CACM, SOGL) with differences.
	Inclusion of list critical network elements and corresponding operational security limits	The list of CNECs is not part of the CC-inputs
	Allocation constraints	Missing framework for the analysis on the efficiency of allocation constraints
Treatment of HVDC within Capacity Calculation	Treatment of HVDC in capacity calculation (cross-border and within bidding zones).	Difference between HVDC both within and across synchronous area's and within and across bidding zone borders not considered in current text.
	Explicitly allow for AHC only for radial AC or HVDCs (e.g. Art. 29(10))	Advanced Hybrid Coupling to improve efficiency of allocation over HVDC between CCRs is missing

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Scoping subject	Subtopic	What is the problem (short description)?
Criteria for capacity calculation regions and for application of CNTC	Requirement to form CCRs	CCR are already there; updating the provisions
	Establish clearer principles for determination of CCRs and interdependency of borders including the treatment of HVDC interconnectors	Criteria for Determination of CCRs is vague and leads to different understanding.
	Delete outdated requirements	Remove requirements for specific regions in Article 21
	Clarify requirements for applying cNTC approach	General formulation is quite vague, to evaluate whether being more precise

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5.   REMEDIAL ACTIONS (CACM TITLE II, CH3, ART 35&74)

Scoping subject	Subtopic	What is the problem (short description)?
Alignment with CEP Provisions and consistency with SO Regulation	Solving the incongruences and the overlap between CACM and SO GL on remedial actions	Remedial actions coordination is dealt in both CACM and SO GL. The former refers only to RD&CT (seen from a market perspective) while the latter is more general and, as stated in CSAm, aims to a comprehensive and global optimization
	Clarifying the role of RCC in coordination remedial actions pursuant to E. reg	RCC role is not mentioned in CACM
	Including CEP provisions about cost sharing and improving them	Provisions in 16(13) of Regulation 2019/943 should be incorporated and clarified where unclear. Cross-CCR costs shall be at least mentioned.
Avoid duplication between CACM and SO Regulation	Avoid duplication in coordination of RDCT actions between CACM and SO Regulation	Remedial actions coordination is dealt in both CACM and SO GL. The former refers only to RD&CT (seen from a market perspective) while the latter is more general and, as stated in CSAm, aims to a comprehensive and global optimization
	Avoid duplication in cost sharing of RDCT actions between CACM and SO Regulation	Remedial actions cost sharing is dealt in both CACM and SO GL. The former refers only to RD&CT (seen from a market perspective) while the latter is more general and, as stated in CSAm, aims to a comprehensive and global optimization

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6. BIDDING ZONE REVIEW (TITLE II, CH2, ART 32-34)

Scoping subject	Subtopic	What is the problem (short description)?
Integrate & improve CEP provisions in BZR framework	Align CACM provisions related to bidding zones with A14 E.Reg	Inconsistency between primary and secondary legislation
	Improvements of criteria taking into account the experience gained in the past	
	Congestions: (Structural) physical congestion and (structural) commercial congestion	Narrow interpretation of the definition of structural congestions, hinder the identification of the bidding zones causing the congestions
	Clarify what is negligible impact (CACM Regulation, with respect to national bidding zone review)	
	Clarify what is no impact (Electricity Regulation with respect to internal structural congestions)	
Triggering a BZR: Regular reporting on structural congestions	Specific congestion report as a prerequisite, issued at European, regional (CCR) or national level	
	Clarify that a national review launched pursuant to Article 32(1)d of CACM is allowed, based on a national congestion report	
	Interaction between the congestion report foreseen by Article 14 Regulation 943 and the CACM congestion report every three year	Need to align and refine the content/usefulness of the report
	Content of congestions report: Physical congestions, Commercial congestions, impacts on neighbouring bidding zones.	
	Market report: is it effectively needed?	

Scoping subject	Subtopic	What is the problem (short description)?
Triggering a BZR: Decision to launch	Review/confirm the entities that may launch a review, also in view of the Electricity Regulation	CACM and Electricity Regulation offer different, not immediately aligned, routes to launch a BZ review
	Possibility to provide guidance when launching a review (e.g. on configurations)	
	Confirm the current CACM responsibilities in case of national review launched based on Article 32(1)d of CACM: in this case only national TSO, NRA and MS if the review has a negligible impact on neighbouring TSOs' control areas.	Possible confllict with the Electricity Regulation (article 14.4 might be interpreting as considering all MSs of the CCR as relevant for any review)
Content & requirements of the BZR methodology	Keep the second step of CACM art. 32(4)b as a reference, preserving the consultation of market participants for the draft report and general involvment in the whole process and including any further consultation process as per Electricity Regulation.	Not a strong reference to stakeholder's participation and transparency requirements
	Add transparency requirements for the BZR process (publication, etc.)	
	Adaption based on the experience matured so far – New Art. 33: · Streamlining criteria (overlaps) · Clarifying scope of some criteria ('economic efficiency'?) · Differentiating criteria to be maximised (optimisation problem)vs prerequisites(e.g. assignment units to BZs)	Overlapping and partly ambiguous criteria
	Align the number of years for considering projects in the reference scenario & Role of TYNDP if any	
	12 months for the simulation phase	Timelines not always clearly defined
	No timeline for the methodology and alternative configurations – only preliminary submission to involved	

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Scoping subject	Subtopic	What is the problem (short description)?
	NRAs, approval by NRAs formally launching the review and the 12 months period (see above)	
Development and approval of the BZR methodology	Review timeline for amendments (not defined in CACM)	No clear approval process and timeline for the methodology and defining configurations
	Decision on the methodology in case of disagreement among TSOs and/or NRAs?	
	Role of the methodology pursuant to the Electricity Regulation	
	Fall-back option in case of lack of proposed configurations	
Decision on BZ reconfiguration	MS role, including case of disagreement, as per CEP provisions	No clear process to decide, also in case of disagreement